Case 5:09-cr-00670-EJD Document 159 Filed 08/08/12 Page 1 of 2

| | II | | | |
|----|--|---|--|--|
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| 2 | MIRANDA KANE (CABN 150630) Criminal Chief | | | |
| 3 | | | | |
| 4 | SUSAN KNIGHT (CABN 209013) HANLEY CHEW (CABN 189985) | | | |
| 5 | Assistant United States Attorneys | | | |
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| 9 | Attorneys for Plaintiff | | | |
| 10 | | | | |
| 11 | UNITED STATES DISTRICT COURT | | | |
| 12 | | | | |
| 13 | NORTHERN DISTRICT OF CALIFORNIA | | | |
| 14 | SAN JOSE DIVISION | | | |
| 15 | | No. CR 11-00554 EJD CR 09-00670 EJD | | |
| 16 | Plaintiff,) | STIPULATION AND [PREX PROXIMIX] | | |
| 17 | v.) | ORDER CONTINUING CONTINUING STATUS CONFERENCE FROM AUGUST | | |
| | DAVID FOLEY, | 27, 2012 TO OCTOBER 1, 2012 | | |
| 18 | Defendant.) | | | |
| 19 | | | | |
| 20 | | | | |
| 21 | The undersigned parties respectfully request t | that the stauts hearing currently set for | | |
| 22 | August 27, 2012 be continued to October 1, 2012 at 1 | August 27, 2012 be continued to October 1, 2012 at 1:30 p.m. On or about June 11, 2012, the | | |
| 23 | parties participated in a settlement conference with U | parties participated in a settlement conference with United States Magistrate Judge Nathaniel | | |
| 24 | Cousins. In that Settlement Conference, defense counsel and defendant raised several issues that | | | |
| 25 | the government needed to investigate further. The government has not as yet completed its | | | |
| 26 | investigation into these outstanding issues. Resolution of these issues may impact defendant's | | | |
| 27 | sentencing. Therefore, the parties respectfully request that the Court continue the currently | | | |
| 28 | scheduled status conference from August 27, 2012 to October 1, 2012 to provide additional time | | | |
| | STIPULATION AND [PROPOSED] ORDER NO. CR 11-00554 EJD 1 | | | |

Case 5:09-cr-00670-EJD Document 159 Filed 08/08/12 Page 2 of 2

| 1 | for the government to complete its investigation and discuss the outstanding issues with defense | | |
|----------|---|-----------------------|--|
| 2 | 2 counsel. | | |
| 3 | 3 | | |
| 4 | 4 SO STIPULATED: MELINDA HAAG United States Attorney | 1 | |
| 5 | DATED: 0/1/12 /5/ | | |
| 6 | HANLET CIEW | a. A. 44 a. ma a. v.a | |
| 7 | 7 Assistant United State | s Auomeys | |
| 8 | 8 DATED: 8/7/12 | | |
| 9 | BENJAMIN LABAN Counsel for Mr. Foley | | |
| 10 | 10 | | |
| 11 | <u>ORDER</u> | | |
| 12 | | | |
| 13 | Accordingly, for good cause shown, the Court HEREBY ORDERS that the status conference | | |
| 14 | currently scheduled for August 27, 2012 be continued to October 1, 2012. Time is excluded from August 27, 2012 through October 1, 2012 based on Government's continued to October 1, 2012. | | |
| 15 | investigation. IT IS SO ORDERED. | | |
| 16 | 16 | | |
| 17 | 17 DATED: August 8, 2012 | bell . | |
| 18 | HONORABLE EDWA United States District | | |
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STIPULATION AND [PROPOSED] ORDER No. CR 11-00554 EJD